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**ATTORNEYS FOR Defendant**

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

OSS Nokalva, Inc.	:	HONORABLE MARY L. COOPER
Plaintiff,	:	
v.	:	Civil Action No. 08-03169
	:	(MLC) (TJB)
European Space Agency,	:	
Defendant.	:	<b>NOTICE OF MOTION</b>
	:	<b>TO DISMISS PURSUANT TO THE</b>
	:	<b>INTERNATIONAL ORGANIZATIONS</b>
	:	<b>IMMUNITIES ACT</b>

**[DOCUMENT ELECTRONICALLY  
FILED]**

TO: Parag P. Patel, Esq.  
Parag P. Patel, Esq., P.C.  
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Attorney for Plaintiff OSS Nokalva, Inc.

SIR:

**PLEASE TAKE NOTICE** that on August 4, 2008, at 9:00 a.m. in the forenoon or as soon thereafter as counsel may be heard, the undersigned, attorneys for defendant European Space Agency will move before the Honorable Mary L. Cooper, U.S. District Court, District of New Jersey, Trenton, New Jersey for an Order dismissing plaintiff's Complaint pursuant to the International Organizations Immunities Act; and

**PLEASE TAKE FURTHER NOTICE** that in support of the within motion, defendant European Space Agency shall rely upon the Brief submitted herewith as well as the Affidavit of Karlheinz Kreuzberg, sworn to and dated July 3, 2008; and

**PLEASE TAKE FURTHER NOTICE** that defendant European Space Agency hereby requests oral argument; and

**PLEASE TAKE FURTHER NOTICE** that at the time and place aforesaid, defendant European Space Agency will request that the proposed form of Order submitted herewith be entered by the Court.

DAY PITNEY LLP  
Attorneys for Defendant

By: 

ELLIOT D. OSTROVE  
A Member of the Firm

DATED: July 3, 2008